



Cincinnati Police Department

STAFF NOTES

August 16, 2005

Colonel Thomas H. Streicher, Jr., Police Chief



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Planning Section

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1. **SPANISH FOR LAW ENFORCEMENT TRAINING**

The Police Academy, in partnership with the Tri-State Regional Policing Institute, will be hosting a ten week, 40 hour "*Spanish for Law Enforcement*" course. The course will begin on September 19, 2005, and run through November 21, 2005. Training will take place at the Police Academy and will be conducted from 1800-2200 hours. There is no cost to attend this training.

Course highlights include understanding the Hispanic culture as well as cursory language skills to enable basic conversation with Spanish-speaking people, including safety commands. All language is directly related to police activity such as traffic stops, medical emergencies, auto accidents, domestic violence situations, crisis intervention, arrests, and search and seizure.

Personnel interested in attending this training should submit a Form 17 through the chain of command by September 09, 2005. Any questions may be directed to Barry Webb at 357-7561.

2. **POLITICAL ACTIVITY BY CITY EMPLOYEES**

Employees are reminded that certain political activities by an employee of the City of Cincinnati are prohibited by law. The Ohio Revised Code and the City Charter prohibit partisan political activities.

[Attached](#) to these Staff Notes is a letter from City Manager Valerie Lemmie outlining permitted and prohibited political conduct.

3. **REVISION TO [PROCEDURE 12.115](#), HANDLING WILD/EXOTIC ANIMALS, PIT BULLS, DANGEROUS/VICIOUS DOGS, AND ANIMAL REPORTS**

Procedure 12.115, Handling Wild/exotic Animals, Pit Bulls, Dangerous/Vicious Dogs, and Animal Reports, has been revised. After seizing or confiscating a Pit Bull or dangerous/vicious dog, an administrative hearing is now required. The process of impounding these animals and routing of the paperwork has been modified. The addition of the administrative hearing has been added, as well as the responsibilities of the officer attending the hearing.

There is a great deal of confusion on the laws regarding ownership of Pit Bull dogs. Officers are reminded that **owning or harboring a Pit Bull is illegal** within the City limits. The only exceptions are those dogs that were registered prior to November, 2003. A list of these registered dogs is available on the Department web page.

Other minor changes have been made to this procedure. This revision is effective immediately. Personnel should review the procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

4. REVISION OF PROCEDURE 12.545, USE OF FORCE

There have been several revisions to Procedure 12.545, Use of Force.

The definition of Serious Use of Force has been revised to include an exception for individuals who are not suffering a serious injury but are admitted to a hospital for psychiatric evaluation only.

A definition has been added to define Serious Injury/Serious Physical Harm to Persons.

The use of the X26 Taser has been added to the use of chemical irritant section. Supervisors are exempt from requiring neutral officers transport the subject of a Taser deployment.

Section F.5., outlining the procedure for notifications when an arrestee is seriously injured, now includes an exemption from notification when the arrested is admitted to a hospital for psychiatric evaluation only. Additional requirements have been added to notify the affected bureau commander and Duty Officer when an arrestee is admitted to a hospital for observation purposes only, or if an arrestee has ingested contraband resulting in seizures, convulsions, loss of consciousness, or other serious medical condition. The affected bureau commander/Duty Officer will make the determination whether to notify Criminal Investigation Section and the Internal Investigations Section.

This revision is effective immediately. There have been other minor changes made throughout the procedure. Personnel should review the procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

5. REVISION TO PROCEDURE 12.710, UNIT PROPERTY BOOK

Procedure 12.710, Unit Property Book, has been revised. The reference to Street Corner Unit has been deleted and is now incorporated under Central Vice Control Section.

Other minor changes have been made. This revision is effective immediately. Personnel should review the procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

6. NEW PROCEDURE 18.121, CITIZEN OBSERVER

A new procedure 18.121, Citizen Observer, has been created. The procedure deals with the criminal and neighborhood activities that will be entered into the Citizen Observer website (www.citizenobserver.com). It also outlines the persons responsible for entry and verification of the information.

This procedure is effective immediately. Personnel should review the procedure in its entirety. The procedure is available on the Intranet and on the Department web page.

7. OHIO PAROLE BOARD DECISION ON ROLAND REAVES

Attached to these Staff Notes is a letter to the Police Chief informing him of the Ohio Parole Board's decision to deny parole to Roland Reaves. In 1974, Police Officer David Cole was shot and killed by Roland Reaves and Ricardo Woods. Ricardo Woods was released on parole in 1994.

8. THANK YOU LETTERS

Attached to these Staff Notes are several letters of appreciation and praise written to the Police Chief for the professionalism displayed by our Department and specifically the following officers:

Lieutenant Martin Mack
Sergeant Joseph Milek
Police Specialist William Hilbert
Police Officer Timothy Gormly
Police Officer Orlando Smith
Police Officer Marcus Jackson
Police Officer Jason Wharton
Police Officer Barb Mirlenbrink
Police Officer Eric Smoot

Sergeant Joseph Briede
Police Specialist David Ausdenmoore
Police Specialist Jennifer Luke
Police Officer Adrienne Brown
Police Officer Kathy Horn
Police Officer Eric Franz
Police Officer Katrina Neal
Police Officer Sharon Byrd


City of Cincinnati



*Interdepartmental
Correspondence Sheet*

August 5, 2005

To: Department and Division Heads, Independent Boards and Commissions

From: Valerie A. Lemmie, City Manager 

Copies:

Subject: POLITICAL ACTIVITY OF CITY EMPLOYEES

The purpose of this memorandum is to clarify the requirements regarding political activity of City of Cincinnati employees. Recently some questions have arisen relating to the prohibition of partisan political activity by City employees.

No City of Cincinnati employee, other than elected officials or those in the Legislative Service, may participate in partisan political activity. Public employees are enjoined from political activity by the provisions of state law (Revised Code 124.57) and the provisions of Article 5, Section 4 of the Charter of the City of Cincinnati (see attached). Personnel Policies and Procedures, Section 2.2, is based upon the provisions of state law and the City Charter. It contains examples of both permitted and prohibited activities.

It is important to note that partisan political activity is prohibited both on and off the job. Being off work does not allow a public employee to ignore the provisions of the law and City policy. Only certain minimal types of personal political activity are allowed.

The following are examples of activities that are prohibited:

- Giving, soliciting, or receiving (either directly or indirectly) any assessment, subscription, or contribution to any political party or candidate for elective office.
- Acting as officers in an election.
- Distribution of campaign literature.
- Serving as an officer in any partisan political organization.
- Being a candidate for holding an elective office.
- Membership on a campaign committee.
- Commercially disseminating an expression, endorsement, or opposition to a candidate for elective office, including (but not limited to) advertisement, flyers, literature, or billboards.
- Public speeches as part of an organized partisan political campaign in support of or opposition to a candidate.
- Displaying, while on duty or on City property, buttons, badges, or signs in support of or opposition to a candidate.

Political Activity of City Employees
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The following are examples of activities which public employees are permitted:

- Serving as a precinct election official which includes responsibility for receiving ballots and supplies, opening and closing the polls, overseeing the casting of ballots as well as counting and certifying the votes.
- Attendance at political meetings or rallies.
- Display of bumper stickers on private vehicles (not used for City business).
- Displaying signs on private property owned by the employee provided no fee is received.
- Indication on a Federal income tax return that a portion of your taxes may be used to finance presidential elections.
- Campaigning for a non-partisan issue or running for a non-partisan election. Such campaigning may not be done on City time or with City equipment.
- Personal expressions of endorsement or opposition to a candidate.

Copies of Ohio Revised Code 124.57 and City of Cincinnati Charter, Article V, Section 4 are attached to this memorandum.

The underlying purposes of these rules are to protect employees from political interference and pressure to contribute to a particular political party or candidate. They are designed to eliminate the possibility of patronage and favoritism. It is important the employees know and follow these requirements. Please insure that this information is disseminated to your staff.

CC: Carole Callahan, Director of Human Resources

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Attachment 1 Revised Code 124.57
Attachment 2 Article 5, Section 4 of Charter of Cincinnati
Attachment 3 Personnel Policies and Procedures, Section 2.2

12.115 HANDLING WILD/EXOTIC ANIMALS, PIT BULLS, DANGEROUS/VICIOUS DOGS, AND ANIMAL REPORTS

References:

Cincinnati Municipal Code 701-1 – Animals, Birds, Fowl
 Procedure 12.225 - Vehicular Crash Reporting
 Procedure 12.550 - Discharging of Firearms by Police Personnel
 Procedure 12.715 - Property and Evidence: Accountability, Processing, Storage, and Release
 Ohio Revised Code 1533.121 - Deer Killed by a Motor Vehicle

Definitions:

Pit bull - a Staffordshire Bull Terrier or American Staffordshire Terrier breed of dog, or any mixed breed of dog that contains as an element of its breeding the breed of Staffordshire Bull Terrier or American Staffordshire Terrier, as to be identifiable as partially of the breed of Staffordshire Bull Terrier or American Staffordshire Terrier.

A pit bull by City ordinance is defined as a vicious dog.

Vicious dog - any dog which, without provocation, has inflicted severe injury on a person **or** has been trained for dog fighting **or** is kept primarily or in part for the purpose of dog fighting **or** is a dog commonly defined as a pit bull **or** has been used in the commission of a crime.

Dangerous dog - any dog which has, without provocation, while off the owner/harbinger's premises, caused an individual to reasonably believe the dog will cause physical harm to a person **or** a propensity or disposition to unprovoked attack or cause injury to humans or domestic animals off the owner/harbinger's premises.

Severe injury - any physical injury to a human being that results in a broken bone or muscle tear requiring corrective or cosmetic surgery **or** resulting in hospitalization **or** any injury to a child under the age of six years of age requiring treatment by a licensed physician.

Wild or potentially dangerous animal - one which is wild by nature and not customarily domesticated in the City of Cincinnati and which, because of its size, disposition, or other characteristics inherently constitutes a danger to human life or property.

Purpose:

To ensure the citizens of the community an environment where the quality of life is not threatened by uncontrolled dangerous or vicious dogs, while protecting the individual rights of dog owners.

To establish a procedure in handling wild/exotic animals, vicious dogs, dangerous dogs and animal reports to ensure the protection of the public and follow-up by the Board of Health.

Policy:

Department members will exhaust every reasonable means before using firearms to dispose of vicious dogs, dangerous dogs, or wild and potentially dangerous animals as defined in Cincinnati Municipal Code (CMC) Sections 701-1-D1, 701-1-V or 701-42. Use of the firearm should always involve consideration for the safety of bystanders.

Information:

A ban on pit bulls was reinstated on November 1, 2003. Only pit bulls registered with the Cincinnati Police Department before November 1, 2003 will be allowed to remain in the City of Cincinnati. Owner/harbinger's of registered pit bulls, or other dogs determined to be dangerous/vicious, must re-register these dogs annually with the Cincinnati Police Department.

Procedure:

A. Registration of Vicious and Dangerous Dogs/Re-Registration of Pit Bulls

1. Department desk personnel will ensure a Form 15D, Dangerous/Vicious Dog Registration and a Form 15DE, Vicious Dog/Pit Bull Registration Envelope, is completed when a citizen responds to the district to register a vicious or dangerous dog, or re-register a pit bull. The registering officer is responsible for accurate recording of the required information on the Forms 15D and 15DE.
 - a. Department desk personnel will give the citizen registering the dog a copy of the Form 15D upon completion of the registration process. Upon completion of the registration process, the registering officer will provide the citizen with a copy of the Form 15D.
 - b. The completed Form 15D and the required documentation will be placed inside the Form 15DE. The completed packet will be hand carried to the Records Section by 0900 hours the following business day.
 - 1) Records Section personnel will send the information contained in the completed packet to Information Technology Management Unit (ITMU). The information will be placed on the Intranet to be accessed by Department personnel.

B. Process for the Impoundment of Dangerous/Vicious Dogs and Pit Bulls

1. Any dog determined to be a dangerous/vicious dog as defined by CMC Sections 701-1-D1, 701-1-V, or is an unregistered pit bull, will be impounded.

- a. Contact the Society for the Prevention of Cruelty to Animals (SPCA) for identification of a pit bull.
 - 1) The SPCA has final authority on identification of a pit bull.
 - 2) Verify whether the dog has been registered with the Police Department.
2. If the owner/harbinger of the animal is present when investigating a complaint, obtain the property owner's consent to enter the premises.
 - a. If the property owner refuses, and there is probable cause to believe a dangerous/vicious dog or unregistered pit bull is on the premises, obtain a search warrant to enter the premises and impound the dog.
3. Notify the owner/harbinger of a dog being impounded using a Form 15DIH, Notice of Impoundment and Hearing.
 - a. The administrative hearing will be scheduled for the first business day seven days after the date of the impoundment. The hearing will be scheduled for 1300 hours at the Office of Administrative Hearings (OAH).
 - b. If the owner/harbinger is not present, the ordinance requires they must be notified of the administrative hearing date, time and location within 3 days after a dog is impounded.
4. The SPCA will board dangerous/vicious dogs and unregistered pit bulls prior to any administrative and/or court hearings.
 - a. Arrange for transportation of the dog(s) by contacting the SPCA.
 - b. Officers will receive a kennel tag number from the SPCA representative. The SPCA kennel tag number must be written on the Form 15DIH.
5. Fax a copy of the Form 15DIH to the following locations:
 - a. Planning Section
 - b. Court Property Unit
 - c. Office of Administrative Hearings (352-4898)
6. The owner/harbinger may waive their right to an administrative hearing and request an immediate citation to the Hamilton County Municipal Court.
 - a. Complete a Form 15DIH and have the owner/harbinger sign indicating a waiver of the administrative hearing.

- b. Cite the owner/harbinger of dangerous/vicious dogs or pit bulls using CMC sections 701-4, 701-5, 701-6, 701-7, 701-8 or 701-9 depending on the nature of the complaint.
 - c. Inform the owner/harbinger of an impounded dog that failure to appear in court may result in forfeiture of their dog. The officer **must** place the following statement on the citation, “**Failure to appear on this citation may result in forfeiture of the animal(s) confiscated**”.
 - 1) Cite to court on the fifth court date from the day the citation is written.
 - 2) The SPCA kennel tag number must be written on the Form 314, Notice to Appear (NTA).
- 7. Take three photographs of the officer with the dangerous/vicious dog or pit bull whenever possible; otherwise, take three photographs of the dog by itself.
 - a. Attempt to include the entire body of the dog in each of the photographs.
 - b. Distribute the photographs as follows:
 - 1) One to the SPCA.
 - 2) One to the Court Property Unit.
 - 3) One for the administrative hearing case jacket.
- 8. Complete a Form 330, Property Receipt, for any impounded dog.
 - a. The SPCA should receive the yellow copy of the Form 330 and a photograph prior to leaving the scene. The SPCA will not take possession of a dog without a completed Form 330.
 - b. Forward the remaining copies of the Form 330, a photograph of the dog, and a copy of the Form 15DIH or Form 314 to the Court Property Unit.
 - c. Once the Form 330 is completed, the officer will comply with Procedure 12.715, Property and Evidence: Accountability, Processing, Storage, and Release.
 - 1) Court Property Unit must perform a bi-monthly audit of animals held at the SPCA to ensure they are disposed of upon completion of the administrative hearing and or court proceedings.
 - 2) Individuals who are awarded the return of their dog(s) will have 72 hours to pick up their dog(s) from the SPCA. Failure to respond will result in the forfeiture of the dog(s).

9. Prepare an administrative hearing case jacket for each incident when a dog has been impounded.
 - a. Case jackets will include a copy of the Form 15DIH; a copy of the Form 314, if applicable; a photograph of the dog(s); a copy of the Form 330; a copy of the Form 316, Minor Accident/Aided Case/Mental Health Response Report, if applicable; and any other related reports.
 - b. A relief supervisor will review the completed case jacket. Reporting officers will make necessary corrections prior to securing from their shift. Approved jackets will be routed to the Neighborhood Supervisor.
- C. Responsibilities of the Neighborhood Supervisor
1. Review the administrative hearing case jackets for accuracy.
 2. Schedule an on-duty officer to present the case at the administrative hearing.
 3. If the hearing officer determines the dog is dangerous or vicious, ensure the attending officer cites the owner/harbinger of the dog to Municipal Court on a Form 314.
 4. If the dog is determined to be dangerous or vicious and the owner/harbinger of the dog failed to appear at the administrative hearing, ensure the attending officer immediately files the appropriate criminal complaint.
 - a. Assign an officer to follow up on the open warrant for those individuals not appearing at the administrative hearing.
- D. Responsibility of the Officer Attending the Administrative Hearing
1. If the owner/harbinger is present at the administrative hearing and the hearing officer determines the dog is vicious or dangerous, immediately cite the individual to Municipal Court on a Form 314. The officer **must** place the following statement on the citation, **“Failure to appear on this citation may result in forfeiture of the animal(s) confiscated”**.
 - a. Cite to court on the fifth court date from the date of the administrative hearing. Refer to the 15DIH for the appropriate section and offense description.

- b. Write the kennel tag number on the citation (obtained from the 15DIH). Include the investigating officer's name as needed for court.
 - c. Notify the Court Property Unit of the outcome of the administrative hearing and forward them a copy of the citation.
 - 2. If the owner/harbinger is not present at the administrative hearing and the hearing officer determines the dog is vicious or dangerous, the attending officer will file a criminal complaint in Municipal Court against the individual named on the Form 15DIH. Refer to the Form 15DIH for the appropriate section number and description of the offense.
 - a. Ensure the investigating officer is listed for court.
 - b. Notify the Court Property Unit of the result of the hearing.
- E. Officer Tactics When Confronted by Dangerous/Vicious Dogs
 - 1. When confronting a dangerous or vicious dog which threatens bodily injury to the officer or citizen:
 - a. Exhaust all reasonable means to confine the dog.
 - b. Notify the SPCA to pick up the dog.
 - c. The use of department issued chemical irritant or the X26 Taser is effective on many animals.
 - d. When use of the firearm is absolutely necessary, avoid shooting the dog in the head.
 - 1) Once the firearm is discharged, the officer will comply with Procedure 12.550, Discharging of Firearms by Police Personnel.
 - a) Obtain the name and address of the owner/harbinger of the dog.
 - b) Obtain the name and address of any witness to the incident.
 - c) Notify the SPCA to pick up the dead dog pending a later examination by the Board of Health.
 - d) Complete a Form 316, if applicable.
- F. Dog Bite Cases
 - 1. Arrange for immediate medical attention.

2. Complete a Form 316.
 - a. Include complete information on the victim, including telephone number.
 - b. Complete the name, address, telephone number, and other pertinent information on the owner/harbinger of the dog.
 - c. Provide a description of the animal, serial number, or inoculation tag, certificate information, microchip number or tattoo number, if applicable.
 - d. If the dog will not be impounded, instruct the owner/harbinger to confine the dog for a 10-day period of observation, and not to have the dog inoculated until after the 10-day observation period. Indicate on the Form 316 this was done.
 - e. In the event the dog is a stray or unidentified, mark the Form 316 "Incomplete." Fill out as much information as possible.
 - 1) If the dog is located, attempt to contain it. Notify the SPCA to respond and pick up the dog for the Board of Health examination.
 - a) Notify the Board of Health of the capture. Indicate same on the Form 316.
3. The reporting officer will issue a Form 314 for a violation of CMC section 701-1-V to the owner/harbinger of the dog following any bite which results in a severe injury as defined in CMC Section 701-1-S.
 - a. Officers will not confiscate the dog unless the dog is a vicious dog, as defined, and has not been registered with the Police Department.
4. The reporting officer will notify the Board of Health by telephone with all information. If the incident occurs after the Board of Health's working hours, the reporting officer will fax the Form 316 to the Board of Health (946-8610). Indicate on the Form 316 the method of notification (e.g., telephone, fax).
 - a. Forward the original Form 316 to the Board of Health through interdepartmental mail.
 - b. File a copy of the Form 316 at the district.
 - c. After completing their investigation, the Board of Health will sign any necessary affidavits for an inoculation violation.
 - 1) Dogs under three months of age need not be inoculated.
5. Report cat bites the same as dog bites.

6. Report wild animal bites the same as dog bites. If captured, hold for the SPCA.

G. Unlicensed Dogs

1. Officers have the discretionary authority to issue a "Warning Citation" to the owner/harbinger of an unlicensed dog.
 - a. Dogs less than 3 months of age or owned fewer than 30 days do not require a license.
 - b. A dog license is valid from January 1st of the current year to January 30th of the following year.
2. The SPCA has provided the Police Department with "Dog License Violation Warning Citations" for "Failure To File Application For Registration Of Dog."
 - a. When a warning citation is issued, the violator is given the pink copy of the three part carbonless form.
 - b. The white copy of the warning is forwarded to the SPCA weekly by the District Collator.
 - c. The yellow copy is retained at the district where the violation occurred.
3. The SPCA will follow up on all warning citations to ensure the owner/harbinger has purchased a current license. The SPCA will assess a fine on a dog owner/harbinger who fails to obtain a valid license.

H. Investigating Wild or Exotic Animal Complaints

1. When encountering a wild or exotic animal, request a supervisor respond to the scene.
 - a. The responding supervisor will ensure he has a shotgun and rifled slugs before responding to the scene.
 - 1) When use of the firearm is absolutely necessary (the animal poses an immediate threat to safety of the community), the weapon of choice for large animals is the shotgun with rifled slugs.
 - b. The responding supervisor will immediately notify the District Commander, Night Chief or Duty Officer of the encounter and outcome.
2. Notify the SPCA. The SPCA has the necessary equipment and resources to capture wild or exotic animals.
3. Once the firearm is discharged, the officer will comply with Procedure 12.550.

- a. Obtain the name and address of the owner/harbinger of the animal.
 - b. Obtain the name and address of any witness to the incident.
 - c. Photograph the animal before removal for possible court proceedings.
- 4. If the owner/harbinger of the animal is present when investigating a complaint, obtain the property owner's consent to enter the premises.
 - a. If the property owner refuses, and there is probable cause to believe a wild or exotic animal is on the premises, obtain a search warrant to enter the premises and confiscate the animal.
 - b. Notify the SPCA and have them respond when serving a search warrant. They have the necessary equipment to capture the animal.
 - 1) Advise the owner/harbinger the animal may have to be tranquilized with a dart gun.
 - c. If the owner/harbinger voluntarily gives up the animal and wishes to transfer it to the SPCA's cage at the scene, advise the owner/harbinger of the possibility of using lethal force against the animal if control is lost.
 - 1) The SPCA must approve transfer of a non-tranquilized animal.
- 5. Once captured, photograph the animal for court proceedings.
- 6. When citing the owner/harbinger, use CMC 701-42.
- I. Dead Animals
 - 1. When a citizen reports a dog or other animal has been killed or found dead, the officer will notify the Board of Health. The Board of Health will determine if the animal is wanted for any previous incident involving a dog or animal bite.
 - a. If the animal is a deer killed by a motor vehicle, follow Procedure 12.225, Vehicular Crash Reporting.
 - 2. If the animal is not wanted by the Board of Health, notify Public Services to pick up the remains.

12.545 USE OF FORCE

Reference:

Graham vs. Conner, 490 US 386, 396 (1989)
Tennessee vs. Garner, 471 US 1 (1985)
 Manual of Rules and Regulations - 1.22, 1.23, 1.24, 1.25, 2.12, 2.26A&B, 4.05
 Procedure 12.140 - Canine Operations
 Procedure 12.170 - Civil Disturbance Operation Procedure
 Procedure 12.550 - Discharging of Firearms by Police Personnel
 Procedure 12.554 - Investigatory Stops and Field Interview Report (FIR)
 Procedure 12.600 - Prisoners: Securing, Handling, and Transporting
 Procedure 12.905 - Fingerprinting and Photographing of Juveniles
 Procedure 15.100 - Citizen Complaints

Definitions:

Actively Resisting is when the subject is making physically evasive movements to defeat the officer's attempt at control, including bracing, tensing, pushing, or verbally signaling an intention to avoid or prevent being taken into or retained in custody.

Choke Holds - The courts could consider a choke hold or other similar type holds as deadly force. Choke holds are prohibited unless a situation arises where the use of deadly force is permissible under existing law and Department policy. The use of any type choke hold to prevent the swallowing of evidence is prohibited.

Crowd Management is the observing, monitoring, and facilitating the activities of persons assembled.

Crowd Control is the use of police action to stop the activities of persons assembled.

Deadly Force is force likely to cause, or capable of, producing death.

Escorting is the use of light pressure to guide a person or keep a person in place.

Force is any physical strike or instrumental contact with a person, or any significant physical contact that restricts movement of a person. The term includes, but is not limited to the use of: firearms, Tasers, chemical spray, choke holds or hard hands, the taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with no or minimal resistance.

Hard Hands is the use of physical pressure to force a person against an object or the ground, or use of physical strength or skill that causes pain or leaves a mark, leverage displacement, joint manipulation, pain compliance, and pressure point control tactics.

Serious Use of Force is any action that involves: a critical firearm discharge; the use of deadly force; a baton strike to the head; or a use of force in which the person is seriously injured, or requires hospital admission, with the exception of individuals admitted for psychiatric evaluation not suffering a serious injury.

Self-Defense is the act of protecting oneself or another from physical harm or serious physical harm.

Serious Injury/Serious Physical Harm to Persons means any of the following:

- Any physical harm that carries a substantial risk of death.
- Any physical harm that involves some permanent incapacity, whether partial or total, or that involves some temporary, substantial incapacity.
- Any physical harm that involves some permanent disfigurement or that involves some temporary, serious disfigurement.

Use of Force in Crowd Management and/or Control - Officers will not initiate the use of force or chemical irritant against crowds or a group of individuals except when reasonable and necessary to protect the officer, the subject, or another party from a risk of death or physical harm; or is necessary to effect the arrest of an actively resisting subject; or to prevent the escape of that subject.

Officers encountering crowds will evaluate the situation and determine if there is a current or future need requiring crowd control or crowd management. Prior to police action, the officers will immediately summon a supervisor to the scene. If crowd control is or will be required, the supervisor will summon a command officer to the scene. Once on the scene, the command officer will direct all police action and authorize the use of weapons, tools, or tactics needed to resolve the situation. The approval of a supervisor is required any time chemical irritant is used against a crowd, absent exigent circumstances.

The use of force (including the beanbag shotgun, the 40mm foam round and the Pepperball launcher) as well as the use of chemical irritant during periods of civil unrest or for crowd management is restricted. A command officer must be present and must authorize the deployment of these devices, absent exigent circumstances.

Command officers must give verbal notice prior to deploying these devices into a crowd, unless it would present a danger to the officer or others to give such a warning.

Any deployment of the beanbag shotgun, the 40mm foam round, or the Pepperball launcher during crowd management/control requires:

- Specific targeting of a subject by the officer.
- Under no circumstances should any of these devices be deployed into a crowd without first identifying a specific target that represents an imminent risk of death or physical injury to the officer or others.
- The officer must be reasonably sure that the weapons will not strike other individuals in the crowd who pose no threat of violence.

If demonstrators or protesters are in a place they have a legal right to be and are conducting themselves in a non-violent and lawful manner, an officer cannot

make their conduct criminal by ordering them to disperse and arresting them if they refuse.

Information:

Beanbag shotgun and 40mm foam rounds: The beanbag shotgun and 40mm foam rounds are impact projectile devices that offer a less lethal alternative for subduing or incapacitating a subject to prevent imminent physical harm, while maintaining officer safety.

These types of police tactical tools have been designed for law enforcement to assist in resolving situations which could otherwise result in the use of deadly force.

They are designed to enable officers to subdue or incapacitate a subject while preventing imminent physical harm to the officer or another person due to the ability to maintain greater distance between officers and the subject. Most of the time these tactical tools are used when a subject is armed with, or simulating the possession of, a potentially deadly instrument. These subjects are often emotionally disturbed, intoxicated, or suicidal. These tools are designed to de-escalate the deadly force potential and allow the subject to be controlled with a lower level of force.

Use of these types of tactical tools is reasonable in situations when allowing the subject to leave would pose an imminent continuing threat to others, including the subject.

These types of impact projectiles may not be used to prevent theft or minor vandalism.

Beanbag shotgun and 40mm foam rounds may only be used to subdue or incapacitate a subject to prevent imminent physical harm. In certain circumstances, it may be inappropriate to use these impact projectile tools, even if the only alternative is to allow the subject to escape. Officers must consider the severity of the crime, whether the subject poses an immediate threat of imminent physical harm to officers or other persons, and whether the subject is actively resisting arrest.

PR-24: The PR-24 is an impact tool that offers a less lethal method for subduing and apprehending violent and/or actively resisting subjects. Compared to empty hand counter strikes, the PR-24 is less likely to cause injury to the officer and provides added distance from the subject. Officers should target a subject's torso, arms, and legs, and avoid the subject's head, throat, neck, heart, and groin, unless threatened with serious physical harm.

Pepperball: The Pepperball launcher is a non-lethal tool which provides another alternative to assist in apprehending violent and/or actively resisting individuals while maintaining officer safety. This impact and chemical irritant device is capable of incapacitating subjects, thereby reducing their ability to continue aggressive action.

X26 Taser: The X26 Taser is an electronic control device that is a non-lethal force alternative used to assist officers in the performance of their duties. The X26 Taser is designed to temporarily immobilize a non-compliant, violent or

potentially violent subject. It generates electricity in a small, hand-held, battery operated unit about the size of a handgun.

When properly used, the X26 Taser generates an electrical current that dominates the existing neuromuscular and sensory nervous system. Subjects become physically incapacitated and unable to control muscular movement, allowing officers to gain control.

The X26 Taser electronic control device may be used in situations where time and conditions permit. It can be an extremely effective control device for close range incapacitation. When deploying a cartridge from the X26 Taser, it should never be aimed at the subject's head, neck, eye, or groin. When deployed in the drive stun mode, the neck and groin areas are acceptable targets. Only officers successfully completing the Department X26 Taser Training Program will use it.

Each X26 Taser has an internal tracking chip. This chip will store the time and date of the last 2000 times the trigger was engaged on the X26 Taser. The information stored in the data chip can be retrieved by supervisors connecting to the data port on the rear of the weapon and downloading the information into our current computer system.

Every three months (January 1, April 1, July 1, October 1), supervisors are responsible for downloading the data stored on the X26 Taser chip of their personnel. The downloaded information will be stored in a file at the officer's district/section/unit.

Chemical irritant: Chemical irritant offers a non-lethal alternative for controlling, subduing, or apprehending a suspect(s). Chemical irritant leaves an invisible ultraviolet, light-sensitive dye on an individual, which can aid in identification.

The use of chemical irritant, including the use of chemical irritant against a crowd or a group of individuals is only permitted in those cases in which such force is necessary to protect the officer, the subject, or another party from physical harm; or is necessary to effect the arrest of an actively resisting subject; or prevent the escape of that subject.

Chemical irritant or the X26 Taser (in the drive stun mode) is the primary response to prevent persons from swallowing evidence or contraband. The use of chemical irritant or the X26 Taser (in the drive stun mode) on an individual attempting to swallow evidence or contraband is only permitted when:

- There is a clear indication that the object or substance in the subject's mouth is contraband.
- There are exigent circumstances such as the imminent destruction of evidence or medical emergency.
- The officer has issued verbal commands to spit out any contraband and the subject refuses to comply.

Personnel may only use chemical irritant to control a resisting subject when verbal commands and other techniques that do not require the use of force would be ineffective, or where issuing verbal commands would present a danger to the officer or others.

A verbal warning must be issued to the subject that chemical spray will be used prior to the use of chemical spray, unless it would present a danger to the officers or others to issue such a warning and, when feasible, the officer will defer using chemical spray for a reasonable time to allow the subject to comply with the warning. Chemical irritant should only be aimed at the subject's face and upper torso.

Policy:

Cincinnati Police Officers must recognize and respect the value and dignity of every person.

In vesting officers with the lawful authority to use force to protect the public's welfare, a careful balancing of all human interests is required.

Courtesy in all public contacts encourages understanding and cooperation. The most desirable method for affecting an arrest is where a suspect complies with simple directions given by an officer.

When officers are confronted with a situation where control is required to affect an arrest or protect the public's safety, officers should attempt to achieve control through advice, warnings, and persuasion.

The suspect should be allowed to submit to arrest before force is used, unless this causes unnecessary danger to the officer or others.

When officers have a right to make an arrest, they may use whatever force is reasonably necessary to apprehend the offender or effect the arrest, and no more. Just as officers must be prepared to respond appropriately to rising levels of resistance, they must likewise be prepared to immediately de-escalate the use of force as the subject de-escalates or comes under police control.

They must avoid using unnecessary violence. Their privilege to use force is not limited to that amount of force necessary to protect themselves or others, but extends to that amount reasonably necessary to enable them to effect the arrest of a resistant subject.

Force situations often do not allow for ordinal progression up a continuum of force and officers must be ready to escalate or de-escalate as the situation evolves.

Disengagement is a reasonable option in consideration of officer safety and the necessity to apprehend immediately. Disengagement, area containment, surveillance, waiting out a subject, summoning reinforcements, or calling in specialized units may be an appropriate response to a situation and should be considered.

Force options may be used simultaneously, for instance, combining verbal commands with use of chemical irritant. The officer must choose the necessary response based on law, department policy, training, and experience. The officer must exercise proper use of force decision making, which means the use of reasonable force, including proper tactics, and de-escalation techniques.

All members have a duty to ensure that use of force and any citizen allegation of excessive force are reported to the Police Department. Whenever employees use deadly force, force, hard hand tactics, chemical irritant, the X26 Taser; or confronts resistance that results in an injury or complaint of injury to a citizen; or have knowledge of any of the above; or are aware of a citizen complaint of excessive force, they will immediately notify a supervisor. The supervisor or command officer investigating the incident must be of at least the next higher rank than the officer(s) who used force.

The only exception is when a lieutenant uses force and there is no captain or above working, but an acting night chief (lieutenant) is available. In this case, the acting night chief can conduct the investigation.

Officers who use excessive force will be subject to discipline, possible criminal prosecution, and/or civil liability.

Following any use of force resulting in a citizen's injury, officers will ensure appropriate first aid is rendered immediately once the incident scene is stabilized.

Use of Force Continuum

SUBJECT RESISTANCE	FORCE OPTIONS	OFFICER / SUBJECT FACTORS
<p>Compliant / Cooperative Complies with verbal commands and other directions</p> <p>Uncooperative Fails to respond to verbal commands or other directions.</p> <p>Active Resistance Subject is making physically evasive movements to defeat the officer's attempt at control, including bracing, tensing, or pushing, or verbally signaling an intention to avoid or prevent being taken into or retained in custody.</p> <p>Assault or Threat of Assault Subject assumes fighting stance, charges, strikes, or kicks an officer or verbally or physically indicates intent to commit an assault combined with the subject capability to assault</p> <p>Life Threatening Assault or Assault Likely to Cause Serious Physical Harm Subject commits an attack using an object, a weapon, or an empty hand assault, wherein the officer reasonably believes the assault will result in serious physical harm and/or death</p>	<p>Officer Presence</p> <p>Verbal Skills</p> <p>X26 Taser/Chemical Irritant</p> <p>Escort Techniques</p> <p>Restraining Techniques</p> <p>Balance Displacement</p> <p>Hard Hands (Pressure Points/Strikes)</p> <p>PR-24 (Baton)</p> <p>Less Than Lethal Beanbag Shotgun 40mm Foam Round Pepperball Launcher</p> <p>Deadly Force</p>	<p>Physical Size</p> <p>Influence of alcohol or drugs on subject</p> <p>Subject's mental capacity or impairment</p> <p>Multiple suspects</p>
		SPECIAL CIRCUMSTANCES
		<p>Environmental Factors</p> <p>Distance from subject</p> <p>Officer injury / exhaustion</p> <p>Proximity of weapon</p> <p>Officer on ground</p> <p>Special knowledge</p> <p>Crime involved</p> <p>History / knowledge of subject</p>

Each force situation is unique and this continuum is intended only as an illustration of the various force options that are available to an officer facing a given level of subject resistance. This continuum is not intended to preclude a force option when that option would not exceed the amount of force reasonably necessary to affect a lawful arrest (Graham v. Connor, 490 U.S. 386 (1989)). Good judgment and the circumstance of each situation will dictate the level on the continuum of force at which an officer will start. Depending on the circumstances, officers may find it necessary to escalate and de-escalate the use of force by progressing up and down the force continuum. It is not the intent of this continuum to require officers to try each of the options before moving to the next, as long as the level of force used is reasonable under the circumstances. Disengagement, area containment, surveillance, waiting out a suspect, summoning reinforcements, or calling in specialized units may be an appropriate response to a situation.

Procedure:**A. Use of Beanbag Shotgun**

1. Two supervisors' cars and ten beat cars in each district are equipped with beanbag shotguns.
 - a. Supervisors are responsible for loading beanbag shotguns.
 - b. Never load regular shotgun ammunition into beanbag shotguns or vice versa.
2. A beanbag shotgun shell is a standard 2 3/4 inch, 12 gauge shotgun shell with a transparent hull.
 - a. Stocks on beanbag shotguns are orange and clearly labeled as "less-lethal".
3. Beanbag shotguns will be carried with four rounds loaded in the magazine tube and no round in the chamber. They will be stored de-cocked with the safety on, in secured boxes in the trunks of assigned vehicles.
 - a. A breakaway seal will be on each box.
 - b. Do not remove and inspect the beanbag shotgun at the beginning of each shift.
 - 1) Open the trunk and check the seal. If the seal is intact, the weapon is ready to be used.
 - 2) If the seal is broken, call for a supervisor to inspect the weapon and reseal the box.
4. If the shotgun is removed during the shift, a supervisor must inspect the shotgun and reseal it in the box.
5. Supervisors will ensure beanbag shotguns are evenly disbursed geographically throughout each district.
6. Neither permission from, nor the presence of, a supervisor is required for officers to use beanbag shotguns, except in crowd control situations.
 - a. The presence of a second officer is highly recommended in the event the officer using the beanbag shotgun encounters lethal resistance.
7. Where the distance between the officer and the target makes it practical, verbal warnings will be given prior to use, absent exigent circumstances. Where feasible, officers will allow a reasonable time between the warning and use of the beanbag shotgun.

8. When using a beanbag shotgun, the recommended distance is no less than 20 feet and no more than 75 feet from a suspect. Beanbag rounds have an optimal effective range of 20 to 50 feet with a maximum effective range of 75 feet.
 - a. Using a beanbag shotgun within 20 feet of an individual increases the chance of serious injury. In cases involving self defense, defense of another, or a situation where the round is used as an alternative to deadly force when deadly force would be appropriate, the use of the beanbag round at a distance less than 20 feet is acceptable.
 - b. If serious injury requiring hospitalization occurs from using a beanbag shotgun, follow the notification process for shots fired as outlined in Procedure 12.550, Discharging of Firearms by Police Personnel.
 9. When using a beanbag shotgun, target a specific part of the body. Avoid the head, neck, heart, and groin areas, if possible.
 - a. Take any individual struck with a beanbag round to University Hospital for medical evaluation.
 10. While multiple beanbag rounds may be expended as necessary, no more than two beanbag shotguns should be simultaneously deployed on an individual.
 11. If four rounds prove to be ineffective, officers need to consider another option.
 12. After using a beanbag shotgun, and after an individual is under control, immediately notify onlookers that a beanbag shotgun, not a regular shotgun, was used. Inform the onlookers that the beanbag shotgun is a less-lethal alternative designed to apprehend individuals without causing serious injury.
 - a. Officers are exempt from the notification requirements during incidents involving civil unrest.
- B. Use of 40mm Foam Round
1. A 40mm foam round launcher will be assigned to each district.
 2. The 40mm foam round consists of a soft rubber sponged nose attached to a hard plastic carrier.
 3. The 40mm foam round launcher is a single shot shoulder mounted weapon.
 - a. A holographic sight is attached to the launcher to assist with aiming and shot placement.

4. Only supervisors and officers trained in the use of the 40mm foam round launcher are permitted to use the weapon.
 - a. The presence of a second officer is highly recommended in the event the officer using the 40mm foam round launcher encounters lethal resistance.
 - b. Where the distance between the officer and the target makes it practical, verbal warnings will be given prior to use, absent exigent circumstances. Where feasible, officers will allow a reasonable time between the warning and use of the foam round.
 - c. If serious injury requiring hospitalization occurs from using a 40mm foam round, follow the notification process for shots fired as outlined in Procedure 12.550.
5. When using the 40mm foam round, target a specific part of the body. Avoid the head, neck, heart, and groin areas, if possible. The 40mm exact impact sponge round will prove most successful for incapacitation when used within its optimal energy range of approximately 10 to 75 feet, although it may be used in situations from 5 to 120 feet.
 - a. Take an individual struck with a 40mm foam round to University Hospital for medical evaluation.
6. If four rounds prove to be ineffective, officers need to consider another option.
7. After using the 40mm foam round launcher, and after an individual is under control, inform onlookers that the 40mm foam round is a less lethal alternative designed to apprehend individuals without causing serious injury.
 - a. Officers are exempt from the notification requirements during incidents involving civil unrest.

C. Use of Pepperball

1. Pepperball launchers will be assigned to the districts at the discretion of the Police Chief.
2. The Pepperball round consists of a small, hard, plastic sphere containing OC pepper powder.
3. The Pepperball launcher is a semi-automatic, shoulder-mounted, high capacity weapon powered by compressed air.
 - a. Each district will be assigned one SCBA compressed air tank and a Pepperball fill adapter.
 - b. SCBA tanks can be refilled by Cincinnati Fire Department at their facility at 5th and Central Avenues.

4. Only supervisors and officers trained in the use of Pepperball launchers are permitted to use the weapons.
 - a. The presence of a second officer is highly recommended in the event the officer using the Pepperball launcher encounters lethal resistance.
 - b. If serious injury requiring hospitalization occurs from the use of the Pepperball, follow the notification process for shots fired as outlined in Procedure 12.550.
 5. When using the Pepperball launcher, aim at center mass. Avoid the head, neck, and groin areas if possible. The effective range of the Pepperball is 0 to 30 feet for targeting individuals and up to 100 feet for area saturation.
 - a. Generally, four to ten rounds should be deployed at a subject. More rounds may be utilized, if in the opinion of the officer, the additional rounds will assist in gaining compliance of the individual.
 - b. Heavy clothing can hinder the effectiveness of the Pepperball rounds. If a subject is wearing heavy clothing, consider targeting the legs.
 - c. Subjects struck with Pepperball rounds often lower their head and turn away from the source of impact. It is important to anticipate this reaction when employing Pepperball rounds.
 - d. Decontamination for individuals exposed to Pepperball OC powder is fresh air and clear cool water.
 6. Pepperball rounds can be used to saturate an area with OC powder by aiming the rounds at solid objects such as buildings, walls, or the ground.
 7. After using the Pepperball launcher, and after the individual is under control, inform onlookers that the Pepperball launcher is a non-lethal alternative designed to apprehend individuals without causing serious injury.
 - a. Officers are exempt from the notification requirements during incidents involving civil unrest.
- D. Use of the X26 Taser
1. Use the X26 Taser to control actively resisting subjects, aggressive non-compliant subjects, or violent or potentially violent subjects. Give the subject a verbal warning that the Taser is going to be deployed unless it would present a danger to the officer.

- a. Officers should avoid using the X26 Taser on obviously pregnant females and those individuals under the age of 7 or over the age of 70, unless the encounter rises to the level of a deadly force situation due to the potential for these individuals to fall when incapacitated by the Taser.
 - b. Officers should avoid using the X26 Taser on individuals who are on an elevated surface unless the encounter rises to the level of a deadly force situation.
2. Officers should, if possible, obtain backup before using the X26 Taser to control the subject.
 - a. Deploy personnel in such a manner that will enable them to use other means to subdue the subject if the X26 Taser is ineffective.
 - b. Officers will use caution and avoid standing near the subject.
3. Depressing the trigger on the X26 Taser will propel two darts from the attached cartridge. Once the X26 Taser is fired it will automatically cycle for five seconds. The officer can turn it off before the 5-second cycle stops. However, it is recommended that officers let the Taser cycle for the full 5 seconds to maximize its effectiveness. Officers should give commands to the suspect and attempt to gain compliance.
 - a. It is necessary for both darts in a cartridge to hit some part of the suspect's clothing or body for total incapacitation. However if only one dart penetrates the subject the X26 Taser is only partially effective. Should this occur and the subject continues to act aggressively, place the X26 Taser against the subject's body to complete the circuit causing complete incapacitation.
 - b. The X26 Taser has a red dot laser and a built in flashlight that will activate as soon as the X26 Taser is turned on. Both of these features can be deactivated, if desired.
4. If a first shot does not make contact or is ineffective, the officer may reload and attempt a second shot. If the X26 Taser deployments do not make contact or are ineffective, it may be used in the drive stun mode. It can operate in the drive stun mode with or without the fired cartridge attached. You cannot use the X26 Taser in the drive stun mode on the neck or groin area with a non-fired cartridge attached to the Taser.
 - a. While operating the X26 Taser in the drive stun mode, the carotid/brachial, groin, and common peroneal nerve are the preferred target areas of the body. A drive stun is described as pushing the X26 Taser aggressively against the subject's body while pulling the trigger. This will deliver a shock to that area of the body. A drive stun is intended to gain compliance from actively resisting subjects, aggressive non-compliant subjects, violent or potentially violent subjects, and persons attempting to swallow evidence or contraband.

- b. Due to the high voltage electronic spark of the X26 Taser, **never fire the X26 Taser near flammable materials (such as chemical irritant with an alcohol based propellant, gasoline, kerosene, or in a natural gas environment).**
- c. After an officer has fired a X26 Taser cartridge a new cartridge will be issued to the officer by their immediate supervisor.

5. Medical Treatment Guidelines

- a. Officers will obtain appropriate medical treatment for suspects when necessary. After successful X26 Taser deployment, request Cincinnati Fire Department (CFD) respond to evaluate subject.
- b. Officers may remove darts embedded in a subject's skin using the appropriate technique provided the darts are not embedded in soft body tissue, i.e., genitals, breast tissue, or any area above the collar bone.
 - 1) If the darts are embedded in the soft body tissue described above, transport the subject to University Hospital for treatment and dart removal.
 - 2) Used X26 Taser cartridges and darts are considered a biohazard. Place the used cartridge and darts in a biohazard receptacle at a fire station or hospital.

E. Use of Chemical Irritant

- 1. Unless it would present a danger to the officer or another, a verbal warning to the individual that chemical irritant will be used must be issued prior to use.
- 2. Where feasible, officers will defer using the chemical irritant a reasonable time to allow the individual to comply with the verbal warning.
- 3. Officers may only use chemical irritant on a restrained individual when the restrained individual or another person is likely to suffer injury or to escape, absent the use of the chemical irritant.
- 4. If it is necessary to use chemical irritant on a violent prisoner who is handcuffed and in the rear seat of the police vehicle, officers will not open the rear doors of the police vehicle to spray the prisoner. Instead officers will spray the prisoner through the protective screen.
 - a. If the vehicle is equipped with a plexiglass partition, officers can either slide the partition to an open position and spray the prisoner through the opening, or spray through the rear door window nearest the prisoner's face.
 - b. This should be rare and used only after officers issue a verbal warning and when other uses of force would be ineffective.

5. When spraying chemical irritant, if possible spray five to ten feet from an individual using a 3 second burst(s) targeting an individual's face and upper torso.
6. Officers may not keep a sprayed individual in a face-down position any longer than necessary to handcuff or end the threat of harm or escape.
7. Absent exigent circumstances, officers will offer to decontaminate every sprayed individual within 20 minutes of the use of chemical irritant.
 - a. Expose individuals sprayed with chemical irritant to fresh air. Give them an opportunity to rinse their face with plenty of clear, cool water or the use of a decontamination wipe.
 - b. Individuals should not rub or hold their faces, or use any oils, creams, or ointments.
8. Officers are required to request medical assistance for sprayed individuals in the following circumstances:
 - a. When the individual complains of continued effects after having been decontaminated.
 - b. The individual indicates that they have a pre-existing medical condition that may be aggravated by the chemical irritant, e.g., asthma, emphysema, bronchitis, heart ailment, etc.
 - c. Immediately transport any persons arrested 13 years of age and older suspected of putting in their mouth, swallowing, or attempting to swallow evidence or contraband to University Hospital. Immediately transport any persons arrested 12 years of age or under suspected of putting in their mouth, swallowing or attempting to swallow evidence or contraband to Children's Hospital.

Reporting Use of Force

Force used	Reporting requirement
Deployment of police canine (no bite).	Form 18C, explaining circumstances that led to the deployment.
Escorting or handcuffing a person, with no or minimal resistance.	No special reporting required other than the narrative of the arrest report.
“Hard hands” use of force by means of leverage displacement, joint manipulation, pain compliance, and pressure point control tactics; without injury or complained of injury.	The arresting officer(s) are required to notify a supervisor and document a narrative account of the subject’s form(s) of resistance and the officer’s specific defensive tactic used to overcome that resistance in the narrative of the arrest report and complete an officer’s report of non-compliant suspect/arrestee form report to be reviewed and approved by a supervisor. The use of force report will require the officer to identify the events leading up to the use of force and the supervisor will be required to evaluate the tactics used by the officer.
“Hard hands” use of force with injury or complained of injury.	The arresting officer(s) are required to notify a supervisor. The supervisor’s report will include the following information in the narrative portion of the report: description of the events leading to the use of force; description of the subject’s resistance; description of the use of force by police to overcome resistance, including a description of all empty hand controls used by the officer; supervisor’s evaluation of the propriety of the initial contact and the propriety of the use of force; supervisor’s evaluation of a foot pursuit if applicable.
Force using any physical strike or instrumental contact with a person; chemical irritant; choke holds; deployment of a canine resulting in a bite; beanbag shotgun and 40mm foam rounds; X26 Taser; or pepperball.	Supervisors will be called to the scene and conduct a supervisory investigation including the supervisor’s narrative description of the events preceding the use of force, the officer(s)’ description of events, and audio taped statements (except X26 Taser deployment) of all witnesses including the officer(s), subject(s), medical treating personnel (if practicable), and third-parties. For chemical irritant use, taped statements are only required if the use occurs after handcuffing.
All serious uses of force (as defined in the definition section of this order) and all canine bites which cause serious injury or hospital admission.	CIS and IIS will respond to the scene and investigate.

F. Reporting a Use of Force

1. The investigating supervisor will immediately notify the district/section/unit OIC (officer in charge), or the Night Chief, if on duty. The use of force will not be investigated by any officer who used force or chemical irritant, whose conduct led to the injury to a prisoner, or who authorized the conduct that led to the reportable incident.
 - a. If none of the above are on duty, ensure the next command officer who comes on duty is notified.
 - b. Contact the Internal Investigation Section (IIS) Commander and the officer's district/section/unit commander for all serious uses of force and all canine bites which cause serious injury or hospital admission.
 - c. Contact the IIS Commander and the officer's district/section/unit commander if more than the necessary amount of force appears to have been used, or the injuries are inconsistent with the reported force.
2. The supervisor will conduct a preliminary fact finding interview of any witnesses and officers at the scene and search for evidentiary materials. The supervisor will then conduct a thorough investigation and evaluate the propriety of the action taken. The supervisor or command officer investigating the incident must be of at least the next higher rank than the officer(s) who used force. The only exception is when a lieutenant uses force and there is no captain or above working, but an acting night chief (lieutenant) is available. In this case, the acting night chief can conduct the investigation.
 - a. Other than a use of chemical irritant or Taser, a supervisor will ensure neutral officers transport the prisoner to the appropriate facility, if applicable.
 - 1) Officers may remove a prisoner to a safe location to prevent an escalation of the incident.
 - b. Detail supervisors will be responsible for the investigation of a use of force involving officers under their supervision.
 - c. A supervisor in the district where the force occurred will investigate and report incidents when the officer is off duty.
 - 1) If a use of force occurs outside the city limits, a supervisor from the closest district will investigate the incident.
 - d. If an officer is involved in a use of force outside a 50-mile radius of the city, the officer will immediately contact a Police Communications Section supervisor and notify him of the use of force. The officer will leave a phone number where he can be contacted.

- 1) PCS will contact the involved officer's assigned district/section/unit commander and notify him of the incident.
 - 2) The district/section/unit commander will call the officer to determine the correct course of action.
3. After the preliminary fact finding interview, tape record all further interviews with the arrested, civilian witnesses, and police officer witnesses in incidents involving canine bites or the physical use of force. Attach the interview tapes to the original report.
 - a. The tape recorded interview will contain the following information:
 - 1) Date, time, and location of interview.
 - 2) Interviewer's name and title.
 - 3) Reason for the interview, e.g., "I am investigating the arrest of John Doe which took place at 1012 Ludlow Avenue".
 - 4) Identity of the person interviewed.
 - 5) Explanation of what happened with specific reference to how the injury occurred. Do not ask leading or suggestive questions.
 - b. If more information is needed, ask the appropriate questions.
 - c. Upon completion, conclude the taped interview by identifying yourself, the person interviewed, and state the time; e.g., "This is Sergeant Neudigate concluding this interview with Mr. John Doe. The time is 2000 hours".
4. The investigating supervisor will interview and examine the subject of the use of force. Be sure the arrested is fully aware of the supervisor's rank and purpose of the interview. The supervisor is responsible for examining the subject for any injuries and is responsible to ensure that any necessary medical attention is secured.
 - a. The investigating supervisor will take Polaroid photographs of the subject. Take specific photos of any injury, or claimed injury, to the subject.
 - 1) The investigating supervisor will record his name, badge number, date, time, and name of the subject on the photographs. Attach the photographs to the original report.
 - b. Anytime the subject of a use of force goes to a hospital, a supervisor will respond and:
 - 1) Ask permission of the medical staff to view the arrested to note the total extent of the injuries.

- 2) Interview the arrested, tape recording the interview.
 - 3) Interview the treating physician and include the diagnosis in the report. Tape record the interview if the physician permits it.
 - a) If the treating physician cannot release a diagnosis of the subject's injuries due to doctor-patient confidentiality, the supervisor will note it in the report.
 - 4) If possible, obtain a hospital and Department release for medical records from the arrested. Attach the release to the original investigative report.
 - 5) Note on the Form 18F, Supervisor's Use of Force Investigation Report, if the subject refuses treatment at the hospital.
5. If the arrested is seriously injured or admitted to a hospital, immediately notify the district/section/unit commander of the involved officer, the IIS Commander, the Criminal Investigation Section (CIS) Commander, and the Night Chief/Duty Officer, if on duty.
- a. The Homicide Unit and IIS will conduct an investigation with the assistance of the affected district/section/unit when the injury is a result of the use of force.
 - 1) The district/section/unit commander will coordinate the investigation in the absence of an IIS investigator.
 - a) The CIS and IIS Commanders will forward all findings and reports to the Police Chief's Office through command channels.
 - b) When IIS or the Homicide Unit is conducting the use of force investigation, the unit responsible for the primary investigation will complete a Form 18F.
 - b. If the arrested is admitted to a hospital for psychiatric evaluation only without serious injury (PES, etc.), the above notifications are not required.
 - c. If the arrested is admitted to a hospital for observation purposes only, notify the affected bureau commander and the Duty Officer who will determine whether CIS and IIS will be notified.
 - d. If the arrested has ingested contraband, which results in either seizures, convulsions, loss of consciousness, or other serious medical conditions, immediately notify the affected bureau commander and the Duty Officer who will determine whether CIS and IIS will be notified.

6. The investigating supervisor will complete a Form 18F.
 - a. Ensure all blocks are completed. Multiple blocks may be checked, as applicable, in the following defined categories:
 - Ceased All Movement: Subject fails to comply with verbal commands from an officer to submit to arrest and abruptly stops all movement. This is often a behavioral cue that the subject is forming a plan to resist the officer.
 - Conspicuously Ignoring: Subject fails to comply with verbal commands from an officer to submit to arrest and fails to respond to questions or orders, refuses to acknowledge the officer's presence, engages in other activities, or attempts to leave the area.
 - Resistive Tension: Subject fails to comply with verbal commands from an officer to submit to arrest and makes body rigid by tensing the muscles. This rigidity can be full body resistance or a particular body part. The goal of the action is to prevent control by means of superior strength.
 - Exaggerated Movement: Subject fails to comply with verbal commands from an officer to submit to arrest and exhibits rapid body movements, such as flailing of the arms, excited pacing, bouncing or similar actions. Actions are often behavioral cues indicating preparation for physical exertion to avoid having the officer take control.
 - Excessive Emotional Tension: Subject fails to comply with verbal commands from an officer to submit to arrest and is belligerent, yelling or argumentative towards the officer or another person. Actions are often behavioral cues indicating preparation for physical exertion to avoid having the officer take control.
 - Combative/Assaultive: Subject fails to comply with verbal commands from an officer to submit to arrest and attempts, threatens or succeeds in physically assaulting an officer or another person by means of body weapons (hands, feet, kicks, punches, elbow strikes, spitting, biting, etc.)
 - Armed: Subject fails to comply with verbal commands from an officer to submit to arrest and displays or claims to possess a weapon, threatens to obtain or use a weapon, makes overt actions consistent with being armed, or is reported to be armed.
 - b. Include concise statements addressing corroboration or contradiction for each witness.

- c. Type a brief summary of the use of force incident on the Form 18F that includes the following information:
 - 1) Decision to arrest, including the basis for the stop and seizure.
 - 2) How the subject resisted arrest.
 - 3) Subject's resistive behavior.
 - 4) Officer's tactics and actions to counter resistance/assault.
 - 5) The supervisor's analysis of the propriety of the officer's use of force.
7. The investigating supervisor will complete a Form 648, Citizen's Complaint, if while investigating a use of force, the individual alleges excessive force. He will investigate the complaint thoroughly while all participants and witnesses are present. See Procedure 15.100 for routing of the form.
8. The investigating supervisor will ensure the completion of and sign the Form 527, Arrest and Investigation Report, and Form 527A, Case and Bond Information Sheet, listing the prisoner's physical condition. The Form 527 will accompany the prisoner to Central Intake at the Hamilton County Justice Center.
9. The investigating supervisor will immediately facsimile the Form 18F to the following locations:
 - a. Police Chief's Office.
 - b. Internal Investigations Section.
 - c. Patrol Bureau.
 - d. Inspections Section.
10. The original report and one copy will be forwarded to the involved officer's assigned district/section/unit commander. The district/section/unit commander will review the original report and complete a use of force supplement. Within seven days, the district/section/unit commander will forward, in a sealed envelope, the taped statements, photos, and original report to the Police Chief's Office through the affected division commander.
 - a. Inspections Section will file the photographs and tapes with its copy of the Form 18F.
11. If an additional investigation is required, note it on the supplement.
12. The investigating supervisor will make a blotter entry describing the incident and action taken.

13. Following each use of force investigation conducted by a supervising officer, an officer at the rank of lieutenant or higher will review the investigation, identify any discrepancies, and require the supervising officer who conducted the investigation to correct any such deficiencies. Appropriate non-disciplinary corrective action and/or disciplinary action will be taken when a supervising officer fails to conduct a thorough investigation or fails to properly adjudicate an incident, or when a reviewing lieutenant neglects to recommend appropriate corrective action.
- G. Reporting Process for Use of Taser/Beanbag Shotgun/40 mm Foam Round/Pepperball Launcher
1. Supervisors must complete a detailed Form 18TBFP, Use of Taser/Beanbag/40mm Foam Round/Pepperball, after any officer uses one of the above devices. The Form 18TBFP must be completed whether or not an individual is struck with a beanbag, 40mm, or Pepperball round.
 - a. After each X26 Taser deployment, the investigating supervisor will retrieve the data stored on the X26 Taser data chip, print out the X26 Taser data port download and record the necessary information on the Form 18TBFP.
 - b. Complete a Form 18T, Taser Silhouette Report, for X26 Taser use and attach to the Form 18TBFP.
 - 1) Report any accidental discharges on a Form 17 and route via chain of command.
 - 2) Report any discharges at an animal on a Form 18A, Weapons Discharge at an Animal, and route via chain of command.
 - c. Facsimile the Form 18TBFP to the following locations:
 - 1) Police Chief's Office.
 - 2) Patrol Bureau.
 - 3) Inspections Section.
 - d. Send the original report and one copy to the district/section commander. After review, the district/section commander will forward the original report to Inspections Section through the affected division commander.
 - e. No supplementary report is necessary unless requested by the Police Chief or division commander.
 - f. The relief officer in charge is responsible for providing a media voice mail, as soon as possible after the incident, describing the incident and the use of the X26 Taser/beanbag shotgun/40mm foam round/Pepperball launcher.

2. The investigating supervisor will make a blotter entry describing the incident and action taken.
- H. Reporting Process for an Injury to Prisoner:
1. Supervisors will complete a Form 18I, Injury to Prisoner, for any injury to the arrested, not the result of the use of force, while under or just prior to police control, and as a result of police activity, including the ingestion of contraband.
 - a. In the event of an incident wherein the underlying police use of force meets the threshold that requires an officer to complete a Form 18NC, Noncompliant Suspect/Arrestee Report, to document the incident, and the subject is injured or complains of injury as a result of the force, the incident will be investigated by a supervisor as an injury to prisoner and documented on a Form 18I.
 2. The narrative section of the Form 18I will be brief and concise, containing the information in the Reporting Use of Force chart. If the incident also involved the use of chemical irritant, the narrative must address the circumstances warranting chemical irritant usage as well as the circumstances of the injury.
 3. Facsimile the Form 18I to the following locations:
 - a. Police Chief's Office.
 - b. Patrol Bureau.
 - c. Inspections Section.
 4. Forward the original Form 18I along with the photographs to the district/section/unit commander for review.
 - a. The district/section/unit commander will evaluate the propriety of the initial contact and the propriety of the use of force and will note his findings, in writing, on the Form 18I.
 5. The investigating supervisor will make a blotter entry describing the incident and action taken.
- I. Reporting Process for Use of Chemical Irritant
1. Supervisors will complete a Form 18CI when reporting the use of chemical irritant.
 - a. Facsimile copies to:
 - 1) Patrol Bureau.
 - 2) Inspections Section.

- b. Forward the original report to the involved officer's assigned district/section/unit commander. After review, the district/section/unit commander will forward the original report to Inspections Section through the affected division commander.
 - c. Keep a copy for the unit files.
- 2. The investigating supervisor will make a blotter entry describing the incident and action taken.
- 3. Inspections Section will maintain and file all Forms 18CI.

J. Priority of Forms

- 1. If more than one act by an individual occurs, only one report is needed, e.g., use of force and a use of beanbag shotgun.
- 2. Listed below is the order in which a report is made, with "a" being the highest priority:
 - a. Use of Force
 - 1) Include X26 Taser/Beanbag Shotgun/40mm Foam Round/Pepperball information, if applicable.
 - 2) Include canine information, if applicable.
 - b. X26 Taser/Beanbag Shotgun/40mm Foam Round/Pepperball
 - 1) Include canine information, if applicable.
 - c. Canine.
 - d. Injury to Prisoner.
 - e. Chemical Irritant.
 - f. Noncompliant Suspect/Arrestee Report.

K. Documentation Needed for Each Form

- 1. Form 18F, Supervisor's Use of Force Investigation Report:
 - a. Taped statement.
 - b. Photos.
 - c. Medical release (if treated).
 - d. Summary of doctor's diagnosis (if treated).

2. Form 18TBFP, Use of Taser/Beanbag/40mm Foam Round/Pepperball:
 - a. Taped statement, except X26 Taser deployment.
 - b. Photos.
 - c. Medical release (if treated).
 - d. Summary of doctor's diagnosis (if treated).
 - e. X26 Taser data port download, if applicable.
 - f. Form 18T with the X26 Taser use.
 - g. MVR tape, if applicable.
3. Form 18C, Use of Canine – Canine Bite:
 - a. Taped statement.
 - b. Photos.
 - c. Medical release (if treated).
 - d. Summary of doctor's diagnosis (if treated).
4. Form 18CI, Use of Chemical Irritant:
 - a. Short narrative.
 - b. No photos.
 - c. No taped statement unless subject was handcuffed at the time.
5. Form 18I, Injury to Prisoner:
 - a. Photos.
 - b. No taped statement.
 - c. Brief, concise narrative to include information from the Reporting Use of Force chart.
6. Form 18NC, Noncompliant Suspect/Arrestee Report:
 - a. Brief, concise narrative of resistance met and force used.
 - b. Supervisor review before end of tour.
 - c. Copy for district files, original to Inspections Section.

7. Place all reports, attachments and other documentation in the Use of Force Case Jacket with the routing label attached and forward to the district/section/unit commander.
- L. Responsibilities of Inspections Section to insure policy and procedure compliance and implementation:
1. Inspections Section will review, evaluate in writing, and submit for the Chief's approval all supervisor reported use of force, use of beanbag shotgun, 40mm foam round, PR-24, and all canine bites (except those causing serious injury or hospital admission).
 2. Inspections Section will review, evaluate, and submit for the Chief's approval all investigations of chemical irritant use on handcuffed individuals.
 3. Inspections Section will review all Forms 18NC for trends and training issues.

12.710 UNIT PROPERTY BOOK

Reference:

Procedure 12.715 – Property and Evidence: Accountability, Processing, Storage and Release

Policy:

To comply with existing state law and adhere to established Police Department procedures on property which comes into police possession. A property book will be a bound ledger maintained by each listed unit.

Procedure:

A. Unit Property Book:

1. Districts One, Two, Three, Four, and Five, and the Criminal Investigation Section, Central Vice Control Section, Impound Unit, and Narcotics Unit will maintain a property book.
2. Record all property coming into the custody of police personnel in the unit property book.
3. There will be a log book for the unit property room key that will be kept at the front desk. The desk officer will issue the property room key to personnel as necessary. The officer will also ensure the unit property book is complete and up-to-date.
4. Keep the unit property book in the unit property room. All personnel who find or recover property will record the following information in the property book:
 - a. Line #
 - b. Date
 - c. Taken from person or place
 - d. Description of property
 - e. Weight/count of drugs
 - f. Package weight
 - g. Why held
 - h. Reporting officer
 - i. Location of property
 - j. Delivery date

- k. Delivering officer
 - l. Property number
 - m. Lab number
5. The Court Property Unit will return the yellow copy of the Property Receipt (Form 330) to the originating unit.
- a. The property number is located in the upper right corner of the Form 330. The number indicating the location of the property is just below the property number.
 - 1) Place these numbers in the designated columns in the unit's property book.
6. Property coming into custody of personnel assigned to a unit not covered under Section A.1. will process the property through the district/section/unit in which the event occurred.
7. A supervisor from each shift will audit and initial the property book daily. Bring discrepancies noted to the attention of the unit commander and then the bureau commander.

18.121 CITIZEN OBSERVER

Reference:

Procedure 18.120 - Release of Information and Public Records

Purpose:

To share information on police investigations, general crime prevention and neighborhood information with businesses and citizens through the Citizen Observer website (www.citizenobserver.com) in an accurate and timely manner.

Information:

The Citizen Observer website brings law enforcement agencies, citizens and businesses together in a united crime prevention partnership. The need and ability to share accurate information quickly is paramount. The Citizen Observer website has developed a highly effective means of connecting citizens with local law enforcement that assists in addressing and inhibiting crime within local communities and neighborhoods.

Definitions:

Wanted Fugitive Alert – entered when all identifying data is known for a suspect who has a warrant or indictment for a felony or serious misdemeanor and preliminary attempts to apprehend have been unsuccessful.

Unsolved Crime Alert – entered when a suspect's identity is not known, or there is insufficient evidence to swear a complaint for a felony or serious misdemeanor and preliminary follow-up investigation has been unsuccessful in that regard.

Citizen Alert – entered for felonies and serious misdemeanors that just occurred and exigent circumstances indicate immediate notification of the citizenry at large, including but not limited to, all murders and robberies of financial institutions where the offense is not immediately cleared or there is no reason for a press release.

Business Alert – entered for felonies or serious misdemeanors that just occurred or exigent circumstances justify immediate notification of specific businesses including banks, auto shops, pawnshops, etc.

Press Release – entered when enlisting the aid of newspapers, radio or television media to help solve a crime or when it is desirable to inform the media of an apprehension or resolution to a crime.

School Alert – entered when information would be beneficial for parents, students and school personnel on activity concerning their school.

Procedure:

A. Entry of Alerts

1. Each district/section/unit will maintain at least two data entry personnel, assigned by the district/section/unit commander and trained by the Citizens on Patrol Coordinator, for the purpose of entering community information.
 - a. Only trained personnel or supervisors assigned to the neighborhood units may enter, edit or delete community or neighborhood information.
 - b. The Community Oriented Policing (COP) Coordinator will review entries daily.
2. Each district/section/unit will maintain at least two data entry personnel, assigned by the district/section/unit commander and trained by the Crimestoppers Coordinator, for the purpose of entering criminal investigation information.
 - a. Only trained personnel or supervisors of the investigative unit responsible for the case investigation may enter, edit or delete information relating to criminal investigations or activity.
3. Only the Public Information Officer may enter media releases regarding general crime conditions, crime statistics, policies regarding crime and enforcement, unit or investigation successes, etc.
4. All commanders and supervisors assigned to district investigative units, Criminal Investigations Section, COP, Central Vice Control Section, and Youth Services Unit will be trained to enter Citizen Observer data.
 - a. Only trained personnel may enter information to the Citizen Observer website.
 - b. The COP Coordinator is responsible for the entry, maintenance and deletion of community information.
 - c. The Major Offenders Unit is responsible for the entry, maintenance and deletion of information regarding criminals, criminal activity and criminal investigations.

d. The Crime Stoppers Coordinator will review all entries daily.

B. Responsibility for Maintenance of Alerts

1. Crime Stoppers personnel will review and edit all entries for wanted fugitives, unsolved crimes, citizen alerts, business alerts and media releases referencing wanted persons, criminal investigations and apprehensions.
2. Personal Crimes Unit personnel will review and edit, when appropriate, all entries for missing persons and media releases referencing missing and found persons and Amber Alerts.
3. Youth Services Unit personnel will review and edit all entries of school alerts and media releases referencing same.
4. The Citizens on Patrol Coordinator will enter all neighborhood watch groups, neighborhood watch captains and neighborhood watch alerts, as well as review and edit all information entered by watch groups and captains.



Ohio Department of Rehabilitation and Correction

Office of Victim Services
1050 Freeway Drive North
Columbus, Ohio 43229
(614) 728-1976

Bob Taft, Governor

www.drc.state.oh.us

Reginald A. Wilkinson, Director

07/15/2005

MR ACTIVE CHEIF
CINCINNATI POLICE DEPARTMENT
310 EZZARD CHARLRS DR
CINCINNATI OH 45214

Re: ROLAND A REAVES [A140827]
LEBANON CORRECTIONAL INSTITUTION

Dear MR ACTIVE CHEIF:

I would like to inform you that on June 07, 2005, the above noted offender appeared before the Ohio Parole Board for a release consideration hearing. The results of that hearing are as follows.

It was the decision of the Ohio Parole Board to deny this offender parole at this time. His case was continued and he will be seen again in May 2007.

If you have any questions, please contact the Office of Victim Services at 1-888-842-8464. Please note that the office is open Monday through Friday between 8:00 a.m. and 4:45 p.m.

Sincerely,


Gary Croft, Chair
Ohio Parole Board

GC/JW

cc: APA File



JUDGE
STEVEN E. MARTIN

Court of Common Pleas

HAMILTON COUNTY COURT HOUSE
CINCINNATI, OHIO 45202-1217

ROOM 340

(513) 946-5790
FAX (513) 946-5792

August 4, 2005

Chief Thomas Streicher
Cincinnati Police Department
310 Ezzard Charles Drive
Cincinnati, OH 45214

Dear Chief Streicher,

I would like to take this opportunity to commend the hard work of five Cincinnati Police Officers.

In late September of last year, Bernard Reid murdered Maurice Kennedy in Price Hill. The work of the Cincinnati Police Department, both before and after the murder, was exemplary.

In late September, two separate groups in Price Hill were in conflict with each other. Prior to the homicide, the police twice broke up confrontations between these two groups. Finally, the groups met again and Maurice Kennedy, who had nothing to do with the dispute and was walking by eating a taco, was shot and killed by Bernard Reid. Reid also shot and wounded Cameron Watson who also had nothing to do with the dispute.

Police Officer Adrienne Brown was at the time a uniformed beat officer in District 3. She attempted the kind of proactive policing that you advocate. Officer Brown responded to two earlier altercations between the two groups in the day or so before the homicide. She talked with both sides and got them to disperse on each occasion. She did her best to settle the dispute before it escalated. Unfortunately, it did not work but that was due to the nature of the parties and not a reflection on Officer Brown's work. Officer Brown was also the first on the scene after the shooting.

Police Officer Katrina Neal was also assigned to District 3. She responded to the scene after the shooting. After talking with witnesses, she found the murder weapon. This turned out to be very important.

Police Officer Barb Mirlenbrink of CIS was the criminalist who handled the crime scene. She took photos and preserved evidence. Without Officer Mirlenbrink's work at the crime scene, a conviction in this case would not have been possible.

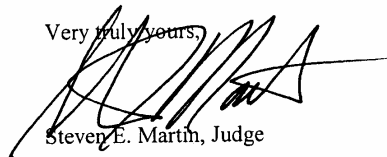
Chief Thomas Streicher
August 4, 2005
Page 2

Specialists William Hilbert and Jennifer Luke of the Homicide Squad put the case together which was not easy. They interviewed dozens of people, some two or three times, in attempting to solve this case. Using their vast experience, they sifted through the evidence and eventually identified Bernard Reid as the perpetrator. They took the defendant's statement and got admissions that were very important at trial.

This homicide was a high profile case. The jury made the right decision in finding Bernard Reid guilty. As we both know, Price Hill is an important neighborhood. If good people leave Price Hill, the neighborhood will only decline. If this case is any indication, it seems to me that your department is doing a good job of policing the area. By solving this high profile homicide, you have made a statement that you will defend this area from lawless violence.

In my opinion, the Cincinnati Police Officers involved in this case deserve to be commended. From Officer Brown who attempted to defuse this situation to Specialists Hilbert and Luke, this was a textbook case of how police work should be done. It is also a reflection on your solid leadership as well.

Very truly yours,

A handwritten signature in black ink, appearing to read 'S. E. Martin', written over the typed name.

Steven E. Martin, Judge

SEM/jpw

City of Cincinnati



Office of City Solicitor
Courts Division

Room 226, City Hall
601 Plum Street
Cincinnati, Ohio 45202-5705
Phone (513) 352-5333
FAX (513) 352-5217

July 25, 2005

J. Rita McNeil
City Solicitor

Ernest F. McAdams, Jr.
City Prosecutor

Colonel Thomas H. Streicher
Chief, City of Cincinnati Police Division
310 Ezzard Charles Drive
Cincinnati, Ohio 45214

Dear Colonel Streicher:

It was my privilege to work with Sergeant Joseph Briede in the recent prosecution of former police officer Steven Maddox. This was a difficult case, and it would not have been prosecuted successfully without the cooperation and support I received from Sgt. Briede.

Officer Maddox was charged with sexual imposition in February 2003. The results of the trial was a conviction in February 2004, and, following appeals, sentence was imposed in 2005. However, the case did not truly end until July 2005, when it was resolved that Mr. Maddox would not be reinstated as an officer in the Cincinnati Police Department.

A particular difficulty in this case was that the victim was intimidated by Mr. Maddox because he was a police officer. The victim told Sgt. Briede that a relative, who was also a police officer, had sexually abused her when she was a teenager. Sgt. Briede recognized that the victim's fear of the police might result in a failure to prosecute. Thus, he worked diligently to maintain contact with her. Over the months that it took to bring this case to trial, his perseverance and professionalism enabled the victim to establish a level of trust sufficient to go forward with the case.

Recently, the issue of a hearing to reinstate Mr. Maddox as a Cincinnati police officer arose. Despite his heavy work load as a detective in homicide, Sgt. Briede expressed a willingness to again help secure the testimony of the victim.

I am most grateful for Sgt. Briede's professional and cooperative support in this difficult case.

Sincerely Yours,

Lura Clark Teass
Assistant Prosecutor
City of Cincinnati

Equal C

City of Cincinnati



Office of City Solicitor
Courts Division

July 26, 2005

Room 226, City Hall
801 Plum Street
Cincinnati, Ohio 45202-5705
Phone (513) 352-5333
FAX (513) 352-5217

J. Rita McNeil
City Solicitor

Ernest F. McAdams, Jr.
City Prosecutor

Colonel Thomas H. Streicher
Chief, City of Cincinnati Police Division
310 Ezzard Charles Drive
Cincinnati, Ohio 45214

Dear Colonel Streicher:

I wish to express my appreciation for the cooperation I received from Sergeant Joe Milek and Officer Sharon Byrd, during the preparation of the case against former police officer Vincent Wilson. They responded to my requests for assistance promptly, courteously, and competently. With their invaluable input, I was able to develop a tight case against Mr. Wilson. The case was terminated without trial, when Mr. Wilson submitted a voluntary resignation from the police force and voluntarily entered pleas to two amended charges.

I was most impressed with the time and attention each officer gave to the victims, both of whom were afraid of Mr. Wilson and feared retaliation from him. Indeed, we were concerned that they might fail to prosecute. However, Sergeant Milek and Officer Byrd worked diligently with the victims, demonstrating a commitment which gave the victims the power and assurance to see the case through. Both victims were present in the courtroom on July 12, when the pleas were entered and the case concluded.

Sincerely Yours,

Lura Clark Teass
Assistant Prosecutor
City of Cincinnati



City of Moraine

DIVISION OF POLICE

THOMAS R. SCHENCK
CHIEF OF POLICE



Chief Thomas H. Streicher
Cincinnati Police Department
310 Ezzard Charles Drive
Cincinnati, Ohio 45214

Chief Streicher,

I would like to commend you, the Cincinnati Police Department and Detective Dave Ausdenmore for hosting London Metropolitan Police Officer Steve Whitter during his visit to Cincinnati on July 27, 2005. Detective Ausdenmore and I have worked together in the past and Dave offered to give Officer Whitter a tour of the Computer Crimes Unit, the Cincinnati Police Department and the Hamilton County Jail. After the tour of the facilities, Detective Ausdenmore took us on a sightseeing trip throughout the city.

Officer Whitter and I enjoyed the trip and wish to express our appreciation and gratitude to Detective Dave Ausdenmore. He is a proud member of the Cincinnati Police Department and his efforts reflected positively upon you and your division.

Lt. Tracy Harpster
8/5/05

cc: Detective Dave Ausdenmore

August 9, 2005

Chief Streicher,

Last evening, Monday,
August 8th, at 5:25 pm I
called police dispatch (513-
765-1212) regarding a group of
individuals hanging around
outside of our business. It is
our belief that these people
are involved in drug sales.
After placing the call, I waited
in my car across the street.

At exactly 5:31 pm
the first officer drove by and
within 3 minutes, 4 police
cruisers had descended on
this group.

Page 2

My husband and I have owned the Courtyard Cafe at 1211 Main Street for more than twelve years. We have always had the utmost respect and appreciation for our police officers. Again, they came through and we are very appreciative.

I would like to extend our thanks to each officer who responded. Thank you for your effort and time. Although this did not result in any arrests, I believe you have helped discourage them from hanging out approaching both.

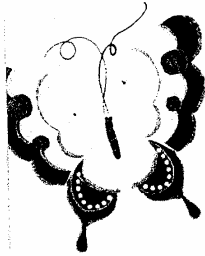
Page 3

my employees and customers.

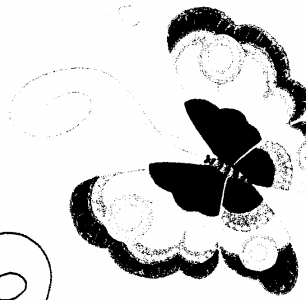
Again if you would
extend our thanks to the
officers involved. Our success
on Main Street greatly depends
on our ability to provide a safe
and clean environment and
we appreciate your help.

Sincerely,

Sue Ellen Traut
Robert J. Traut
Courtyard Cafe
1211 Main St.
Canti. 45302



*Thank You
So Much
for
Your Help*



Once again we go for appreciate
 Officer like you appreciate
 we would like to say for the
 what you do for the people of
 with families and support
 you give us it's a blessing
 that you do with a heart
 that really is a heart
 we will miss you and
 we will miss you and
 we will miss you and

James Wharton
 D-5

I just can't thank you enough
 for all you've done.
 You were there
 with a helping hand
 just when I needed it most...
 and I'll always
 remember you for it.

Thank you so
 much
 James Fortins





805 Central Avenue • Suite 800 • Cincinnati, Ohio • 45202
InfoLine (513) 352-4000 • Fax (513) 352-1634
www.cincyrec.org

Daniel J. Gilday, *President* • Denise M. Driehaus, *Vice President*
Roscoe A. Fultz • Rev. Kazava Smith • Sally Warner

1930 • Celebrating 75 Years of Commitment • 2005

August 8, 2005

Police Officer Eric Smoot.
Cincinnati Police Department
District 1
310 Ezzard Charles Drive
Cincinnati, Ohio 45214

Dear Officer Smoot:

On behalf of the Cincinnati Recreation Commission and our **RiverTrek** staff and participants, I would like to thank you so much for your participation in **RiverTrek 2005**. We had a great group of teens and great team of staff and volunteers who contributed generously of their time and energy to the success of this program. As a veteran **RiverTrek** staff member, you bring a great deal of experience to this trip and we truly appreciate your participation this year!

Your involvement as a police officer brings an added perspective to the program by giving our teen participants the opportunity to get to know you not just as a police officer, but as a mentoring adult as well. By paddling side-by-side with you over the course of 5 days, the youth have the opportunity to get to know a police officer in a more relaxed, informal situation.....which is so important in building bridges with our City's youth.

It was a great group of teens this year and I hope it was as much fun for you as it was for us! We really appreciate your teamwork and leadership with this program and we look forward to working with you on our 10th anniversary trip, **RiverTrek 2006!**

Sincerely,

Becky & the RiverTrek Staff
Becky Smith
Youth & Family Services Coordinator
Cincinnati Recreation Commission

Cc: Colonel Thomas Streicher, Jr.



James R. Garges, CPRP, *Director*
Nathaniel O. Wilkins, *Assistant Director*

Equal Opportunity Employer
Affiliated with The National Recreation & Park Association - Ohio Parks & Recreation Association



805 Central Avenue • Suite 800 • Cincinnati, Ohio • 45202
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Daniel J. Gilday, *President* • Denise M. Driehaus, *Vice President*
Roscoe A. Fultz • Florence M. Newell, Ed.D • Rev. Kazava Smith

Inspiring Today. Strengthening Tomorrow.

August 8, 2005

Police Officer Eric Franz
Cincinnati Police Department
District 1
310 Ezzard Charles Drive
Cincinnati, Ohio 45214

Dear Officer Franz;

On behalf of the Cincinnati Recreation Commission and our *RiverTrek* staff and participants, I would like to thank you so much for your participation in *RiverTrek 2005*. We had a great group of teens and great team of staff and volunteers who contributed generously of their time and energy to the success of this program. As a veteran *RiverTrek* staff member, you bring a great deal of experience to this trip and we truly appreciate your participation each year!

Your involvement as a police officer brings an added perspective to the program by giving our teen participants the opportunity to get to know you not just as a police officer, but as a mentoring adult as well. By paddling side-by-side with you over the course of 5 days, the youth have the opportunity to get to know a police officer in a more relaxed, informal situation.....which is so important in building bridges with our City's youth.

Thank you also for recruiting your community volunteers to help with the evening meals. They did a terrific job...and they were real troopers on Wednesday evening at the Castle! They saved the day and they did it with smiles on their faces!

It was a great group of teens this year and I hope it was as much fun for you as it was for us! We really appreciate your teamwork and leadership with this program and we look forward to working with you on our 10th anniversary trip, *RiverTrek 2006*!

Sincerely,

Becky + The River Trek Staff
Becky Smith
Youth & Family Services Coordinator
Cincinnati Recreation Commission

Cc: Colonel Thomas Streicher, Jr.



James R. Garges, CPRP, *Director*

Equal Opportunity Employer
Affiliated with The National Recreation & Park Association - Ohio Parks & Recreation Association
© 2/2004

August 3, 2005

Captain Gregoire
Police District 2
3295 Erie Avenue
Cincinnati, OH 45208

Dear Sir:

This is a letter of commendation for Neighborhood Officer Kathy Horn who has been of inestimable help to us for a long time at our location at 3710 Eastern Avenue, 45226.

We are a church-sponsored outreach center located in the East End for many, many families and households in that part of town. We provide food and toilet articles, donated used clothing, bedding, household goods, and small and large appliances on a waiting list basis. Next door we provide over-the-counter medications and miscellaneous items distributed by a volunteer registered nurse. She especially tracks those who cope with high blood pressure and/or diabetes.

We rent space in two units in an old building which are unoccupied and unguarded most of the time, so we sometimes have theft issues and other concerns which necessitate interaction with our neighborhood police officer. Officer Horn helps us protect our space by letting us know what is going on in the neighborhood and what to be aware of. She drops by often to look in on us and we let her know what is going on with us. And she has not once but four times at our request given a prepared talk against drugs to an assembled group of children and young teens. We consider this going the extra mile and then some.

We just cannot thank you enough for the interest and help from Officer Kathy Horn. She is capable, caring, efficient, approachable and always impeccably groomed. We hope she will be covering our territory for a long time to come, and we wish her every success and safety in her vocation. And of course for all brave police officers as well.

Respectfully yours,

Jennifer Cowgill /jk

Jennifer Cowgill, Director
Parkside Christian Church Outreach Center
3710 Eastern Avenue
Cincinnati, OH 45226



OHIO DEPARTMENT OF PUBLIC SAFETY

- Administration
- Bureau of Motor Vehicles
- Emergency Management Agency
- Emergency Medical Services Division
- Office of Criminal Justice Services
- Ohio Homeland Security
- Ohio Investigative Unit
- Ohio State Highway Patrol



Bob Taft, Governor
Kenneth L. Morckel, Director
Colonel Paul D. McClellan
Superintendent

Ohio State Highway Patrol
1970 West Broad Street
P.O. Box 182074
Columbus, Ohio 43218-2081
www.statepatrol.ohio.gov

1000 Hospital Drive
Batavia, Ohio 45103
513-732-1510

August 5, 2005

Chief Thomas H. Streicher, Jr.
310 Ezzard Charles Dr.
Cincinnati, Ohio 45214

Dear Chief Streicher:

During the early morning hours of July 27, 2005 Trooper Jason Turner of the Batavia Post initiated a traffic stop on SR 125 near Corbly Road. Trooper Turner placed the driver of the car he had stopped under arrest for OVI. Before Trooper Turner was able to secure the suspect, he fled on foot behind the US Bank. Trooper Turner chased after the suspect and was able to apprehend him due to the actions of Detective Jim Gormly of your Homicide Unit. Detective Gormly was enroute to his residence and was off duty. He was able to block the path of the suspect, which enabled Trooper Turner to apprehend him without further incident. Detective Gormly remained at the scene of the stop until he was sure everything was under control. Detective Gormly should be commended for his actions. Please relay my gratitude to Detective Gormly, his assistance was certainly appreciated.

Sincerely,

Lieutenant Paul E. Hermes
Post Commander

2005

*Woodland Trails Scout Reservation
Miami Valley Council, BSA*

Chief Thomas Streicher
Cincinnati Police Department
310 Ezzard Charles Dr.
Cincinnati, OH 45202

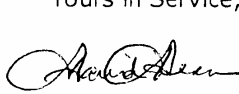
Dear Chief Streicher,


This summer Martin Mack came out to Woodland Trails and devoted a week of his life to help make a difference in a boy's life. He was able to spend his time helping scouts grow in leadership, character, citizenship, and fitness.

Adult leaders provide the backbone for our youth organization and are an integral part of the teaching process. The Boy Scout organization and our boys depend on people like Martin Mack to give them a positive role model, in depth instruction, and a great outdoor experience. Often scout camp can be a testing process for our adult leaders as they cope with homesickness, rainy days, and challenging children. However, Martin Mack has risen to the occasion and provided his boys an experience to remember.

It is important for a person's employer to support them while they continue to deliver the promise of scouting. Therefore, we would like to thank you for your continued support of the scouting program and Martin Mack while he is away.

Yours in Service,


Dave Dean
Camp Director


Brendan Greaney
Program Director


Vincent Hartman
Assistant Program
Director


Dave Knapp
Camp
Commissioner

Dale & Winni Johnson
725 Betula Ave.
Cincinnati, OH 45229-1516

July 26, 2005

Chief Thomas H Streicher
Cincinnati Police Dept.
310 Ezzard Charles Drive
Cincinnati, OH 45214

Subject: Two Police Officers Served Our Family Professionally

Summary: Last Saturday, July 23, our son David (16) ran away from our home and told the mother of a former school mate that his mother had threatened him with a knife. She called the Police & two officers responded, took David into custody, brought him home, and acted in a very professional manner to listen to Mrs. Johnson give David's history of physical and mental illness and past violent behavior. They were able to defuse the situation that was highly charged and the result was a quiet end of the evening.

Dear Chief Streicher:

Last Sunday afternoon, July 23, our 16 year old son, David Johnson, ran out of our home due to his anger at the consequences for his actions that were given him by his mother, Winni Johnson. David is one of our 10 adopted children, and has had significant medical and mental problems for most of his life. David, one of our 5 Afro-American children, was born with a severe form of Sickle Cell Disease that took him to the brink of death several times in his early years. Medical science and the use of a newly tried drug have largely minimized the effects of this disease on his current day to day life.

Mentally and emotionally, David has significant challenges due to mental retardation (IQ: 60-65) as well as being diagnosed and currently treated for schizophrenia, reactive-attachment syndrome, bipolar disease, ADHD and oppositional-defiant behavior. He has been under excellent professional care by psychiatrists and psychologists at Cincinnati Children's Hospital for the 6 years we have lived here. He has attended Crest Hills Year Around School, Hughes Center and now attends West High in a specialized program for mentally retarded students.

This past Saturday afternoon, David left our home (Rose Hill area of No. Avondale) in his bare feet when he got very angry with his mother for holding him responsible for his behavior. This has happened before, and we have had the police here on two other occasions. David ran out before anyone could stop him and disappeared. Mrs. Johnson called me on my cell phone as I was on my way home and I drove around the neighborhood, but saw no sign of him. Mrs. Johnson then left home and looked for him, including the home of a friend where he had run once before, but no luck. I got a phone call from District 4 a few minutes later asking if I had a son David. I answered Yes - Is he OK? They said he had told a neighbor that Mrs. Johnson has threatened him with a knife.

The police officer told me David had run well over a mile from our home to Mitchell & Vine, and then went south on Vine to the home of a girl who had been in his class at Hughes Center. It was her mother that called the police and told of the "knife threat" story from David. The officer said he would bring David home.

A few minutes later, two officers arrived - Officers Jackson and Smith. In all the excitement and turmoil, I neglected to get their first names or badge numbers. I am sure that the District 4 records will show who was dispatched to take David Johnson to his home. Both Mrs. Johnson and I want to make sure these gentlemen get some recognition for the exemplary way they conducted themselves.

The officers related the stories that David had told them and David repeatedly insisted that Mrs. Johnson has pointed a knife at him. Mrs. Johnson emphatically denied that any knife threat had taken place. David has a long history of lying when trying to cover up his unacceptable behavior - especially when trying to shift the blame anywhere else than on himself. Mrs. Johnson had just made him a peanut butter & jelly sandwich and had used a knife to spread the bread. The table knife used may have been in Mrs. Johnson's hand when she told David he would have to go up to his room right after dinner, due to his recent unacceptable behavior.

At this point, David became very agitated and excited, a shouted and acted typically immature. We have had similar confrontations for years, and once David was taken to 20-20 for 24 hours, where he appeared before a judge and was then admitted to an inpatient program at Children's Hospital. Adjustments to his multi-medication program were made, he returned home, but little long-term improvement has occurred.

Mrs. Johnson was understandably very upset at the situation, and it was the excellent procedures used by the two officers to defuse the situation that led to a peaceful conclusion of this incident. David apologized to the officers, shook their hands, went into the kitchen and ate the sandwich prepared earlier, took his medicine and went to bed. The officers listened to our description of much of what David's behavior has put the entire family through since we adopted him about 13 years ago. He far outlived the doctor's initial predictions, and has had opportunities to join in many activities with the family, as well as with classmates at school and church.

Eighteen months ago, the Make-A-Wish Foundation granted David's wish for the family to visit Disney World and neighboring theme parks. The initial plans for the trip a year earlier had to be cancelled due to David's behavior. He demonstrated he was able to make good choices for a sufficient period to allow the trip to occur the following year. We know David will have a life-long challenge to make enough right choices to enable him to lead a happy and productive life.

We are grateful to have the support of the police in our area. Their understanding, skill and compassion were critical in this situation. We would greatly appreciate your letting the immediate supervisors of Officers Jackson and Smith know of their performance and the satisfaction of a family of 14 in the work done by your department. We know you men and women often get a lot of negative feedback, and we hope to do our bit to help redress the balance.

Thank you for reading and acting upon this information. Feel free to contact us if any additional information is needed.

Sincerely,



Dale & Winni Johnson

Phone 513-475-0725

Winni's Cell Phone: 513-226-6337

email: redericdale@zoomtown.com